

Senator Winfield, Representative Stafstrom, ranking members Kissel and Fishbein and distinguished members of the Judiciary Committee:

I write urge your support for HB-6355, An Act Concerning Risk Protection Orders

I live in Stamford and I'm a supporter of CT Against Gun Violence. I am a practicing Connecticut attorney.

Connecticut was the first state in the nation to pass an Extreme Risk Protection Order law, in 1999. It offers a means of last resort, with due process protections, to temporarily remove firearms from individuals judged to be at risk of imminent harm to themselves or others. It has been shown to prevent firearm suicide and stop mass shootings. It is time to strengthen the to help ensure it can stop or minimize gun violence.

One important revision you should support: when the protection order expires, there should be a requirement that the subject is no longer at risk of violence before the firearms are returned. That is not the case now.

Claims by opponents that ERPO laws violate due process have no merit. According to the Giffords Law Center, no court to date ever has invalidated an extreme risk protection order or risk-warrant law. Courts in Connecticut, Indiana, and Florida that have heard challenges to ERPO laws have held they do not violate protections under the due process clause and/or under the Second Amendment. There simply is no evidence that the process has been, or will be, used somehow to harass gun owners. Judges are required to have clear and convincing evidence to issue final risk protection orders.

Because there are often warning signs preceding violent or suicidal behavior this last-resort measure with due process protections is an effective tool for reducing gun violence. Because firearm suicide accounts for up to two-thirds of gun deaths and is the second leading cause of suicide in Connecticut, there is an urgent need to strengthen our ERPO law to help it save more lives.

I ask that you favorably report HB-6355 out of committee so that the General Assembly can vote to strengthen our Extreme Risk Protection law so that it works harder to prevent firearm suicide and homicide. Thank you for your consideration.

Sincerely,

David P. Atkins
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